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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	6

Application Number	10/775,953
Filing Date	February 9, 2004
First Named Inventor	Robert W. BROCIA
Art Unit	1651
Examiner Name	Not Yet Assigned
Attorney Docket Number	527832000420

ENCLOSURES (*Check all that apply*)

- [] Fee Transmittal Form
- [] Fee Attached
- [] Amendment/Reply
- [] After Final
- [] Affidavits/declaration(s)
- [] Extension of Time Request
- [] Express Abandonment Request
- [x] Information Disclosure Statement, 3 pages
- [] Certified Copy of Priority Document(s)
- [] Response to Missing Parts/ Incomplete Application
- [] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [] Drawing(s)
- [] Licensing-related Papers
- [] Petition
- [] Petition to Convert to a Provisional Application
- [] Power of Attorney, Revocation Change of Correspondence Address
- [] Terminal Disclaimer
- [] Request for Refund
- [] CD, Number of CD(s) _____
- [] After Allowance Communication to Group
- [] Appeal Communication to Board of Appeals and Interferences
- [] Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- [] Proprietary Information
- [] Status Letter
- [x] Other Enclosure(s) (please identify below):

Form 1449, 2 pages
Return Postcard

Remarks

CUSTOMER NO. 25225

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	Kate H. Murashige
Date	6/2/04

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6-3-04 Signature: Rhea Amid (Rhea Amid)

sd-202275

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PATENT
Docket No. 527832000420

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Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert W. BROCIA

Serial No.: 10/775,953

Filing Date: February 9, 2004

For: HIGH SENSITIVITY SPECTROPHOTOMETRIC ASSAYS

Examiner: Not Yet Assigned

Group Art Unit: 1651

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 08/496,806, filed June 29,1995, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

sd-185658

This Information Disclosure Statement is submitted:

☐ With the application; accordingly, no fee or separate requirements are required.

☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.

☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of __ is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.

- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 527832000420. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 2, 2004

Respectfully submitted,

By: Kate H. Murashige

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Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 527832000420	Application Number 10/775,953
Applicant: Robert W. BROCIA	
Filing Date February 9, 2004	Group Art Unit: 1651
Mailing Date June 3, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/1989	4,798,788	Sands	435	37	
	2.	08/1989	4,853,327	Dattagupta	435	6	
	3.	12/1992	5,173,434	Morris et al.	436	172	
	4.	10/1993	5,254,477	Walt	436	172	
	5.	10/1995	5,459,567	Brocia	356	318	
	6.	10/1996	5,565,328	Bascomb et al.	435	25	
	7.	04/1998	5,744,320	Sherf et al.	435	8	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES	Translation NO
	8.	12/1986	EP 0 171 158	Europe				
	9.	07/1989	EP 0 091 837	Europe				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	10.	Ando et al., Analytical Biochemistry (1983) 129:170-175
	11.	Blumberg et al., Clin. Chem. (1980) 26:409-413
	12.	Carmel et al., Eur. J. Biochemistry (1977) 73:617-625
	13.	Carmel et al., Eur. J. Biochemistry (1978) 87:265-273
	14.	Chen, Analytical Letters (1978) B11(3):249-255
	15.	Fleminger et al., Eur. J. Biochem. (1982) 125:609-615
	16.	Florentin et al., Analytical Biochemistry (1984) 141:62-69
	17.	Haugland, Handbook of Fluorescent Probes and Research Chemicals, 6th ed. by Molecular Probes, Eugene, OR

EXAMINER:	DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION *(Use several sheets if necessary)*	Docket Number 527832000420	Application Number 10/775,953
	Applicant Robert W. BROCIA	
	Filing Date February 9, 2004	Group Art Unit: 1651
	Mailing Date June 3, 2004	

	18.	Yaron et al., Analytical Biochemistry (1979) 95:228-235

EXAMINER:	DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.